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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

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CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jose Angel DANIEL-Estrada

Defendant.

Magistrate Case No.

07-MJ-2491

DEPUTY


COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section
1324(a)(1)(A)(iv)-Inducing and
Encouraging Illegal Alien(s)
To Enter the United States

The undersigned complainant being duly sworn states:

On or about **October 17, 2007**, within the Southern District of California, defendant **Jose Angel DANIEL-Estrada**, did encourage and induce an alien, namely **Araceli GOMEZ-Garcia** with the intent to violate the immigration laws of the United States, to come to, enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence in the United States is and will be in violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iv).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT

Sara Esparagoza, U.S. Customs and Border
Protection Enforcement Officer.

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **18th** DAY OF **October**, 2007.


UNITED STATES MAGISTRATE JUDGE

JDM

PROBABLE CAUSE STATEMENT

The complainant states that **Araceli GOMEZ-Garcia** is a citizen of a country other than the United States; that said alien has admitted she is deportable; that her testimony is material; that it is impracticable to secure her attendance at trial by subpoena; and that she is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On October 17, 2007 at approximately 1455 hours, **Jose Angel DANIEL-Estrada (Defendant)** made application for admission into the United States at the San Ysidro, California Port of Entry as the driver of a 1986 Honda Accord. Accompanying Defendant as a passenger in the vehicle was a female later identified as Araceli GOMEZ Garcia who presented a DSP-150 Laser Visa Card bearing the name of Irma Ferrer De La Rosa. A Customs and Border Protection Officer received two negative declarations from Defendant. Defendant presented a Form I-94 Departure record with a 212(d)(5) Advance Parole Stamp bearing his name along with his two Mexican Driver Licenses (#210450219) bearing his name and photo. Defendant stated he was going shopping in National City. Defendant claimed that the passenger was his distant friend. The officer suspected the passenger to be an impostor to the document presented and called for assistance. CBP Officers responded and took custody of Defendant and passenger and escorted them to secondary for further inspection. The vehicle was also driven to secondary by CBP Officers.

In secondary, the female passenger admitted to her true identity and citizenship of Mexico with no entitlements to enter, pass-through, or reside in the United States. She is now identified as Material Witness: **Araceli GOMEZ-Garcia**.

During a videotaped proceeding, Defendant was advised of his Miranda Rights and elected to submit questioning without benefit to counsel. Defendant admitted attempting to smuggle an undocumented alien into the United States. Defendant admitted he was going to take the undocumented alien to a parking lot outside the Wal-Mart in Chula Vista once he successfully smuggled her into the United States.

During a videotaped interview, Material Witness declared she is a citizen of Mexico without legal rights to enter the United States. Material Witness stated she made all of the arrangements with an unknown person and that she paid \$500 USD for the document she presented and was going to pay an additional \$500 USD to be smuggled into the United States. Material Witness stated she was going to Los Angeles, California to seek employment.


SIGNATURE OF COMPLAINANT

Sara Esparagoza, U.S. Customs and Border
Protection Enforcement Officer


UNITED STATES MAGISTRATE JUDGE